

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.20625 of 2005

Date: 16.11.2005

Between:

Tirupathi Veerraju.

.. PETITIONER

AND

The Special Deputy Collector, Eluru, West Godavari District and others.

.. RESPONDENTS

ORDER:

The petitioner claims to be the owner of the land in R.S.Nos.610/1 and 636/2 admeasuring Ac.1.47 cents and Acs.1.06 cents respectively, situated at Buttayagudem Village and Mandal, West Godavari District, from the year 1961 onwards. On an earlier occasion, proceedings were initiated against him in S.R.No.88 of 1981 before the 1st respondent, under the provisions of the Andhra Pradesh Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation 1 of 1970. The 1st respondent passed an order, dated 25.03.1982, upholding the claim of the petitioner. The petitioner contends that despite the same, the 3rd respondent is interfering with his possession over the land in question.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

A perusal of the order, dated 25.03.1982, passed by the 1st respondent, discloses that the rights of the petitioner over the land in question were recognized and upheld. Once that order has become final, it is not competent or open for the 3rd respondent to interfere with the possession of the petitioner over the said land. Even where there exist any other grounds, enabling the 3rd respondent to take any steps vis-à-vis the said land, he can do so only after passing any written orders, duly referring to the relevant provision of law.

Hence, the Writ Petition is disposed of, directing that the 3rd respondent shall not interfere with the possession and enjoyment of the petitioner over the land in R.S.Nos.610/1 and 636/2 of Buttayagudem Village and Mandal, West Godavari District, without initiating any proceedings or without passing any written orders. There shall be no order as to costs.

16.11.2005

Jsu